

104991-154742

REMARKS

Claims 1 – 39 are currently pending in this application. With this response, Claims 1, 9-11, 13, 16, 22, and 34-35 have been amended, as further explained below. Additionally, new Claims 38 and 39 have been added. It is respectfully submitted that all amendments are supported by the specification and claims as filed, and no new matter has been added. Support for Claims 38 and 39 is found on page 18, lines 3-25 of the specification as filed.

Rejections Under 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph as confusing because it is directed to both monomers and polymers. Claim 1 has been amended to delete recitation of polymers. Applicants reserve the right to pursue claims directed to polymers in a divisional application.

Claim 10 stands rejected under 35 U.S.C. § 112, second paragraph for reference to terms such as “(D3), (D4), etc.” These terms, which are shorthand references to specific compounds recited in the claims and also described in the specification, have been deleted. Similar shorthand designations have been deleted in Claims 9 and 11.

Claims 13 and 16 stand rejected under 35 U.S.C. § 112, second paragraph for referring to trademarks. Claims 13 and 16 have been amended to replace the trademarks with the phrase “a strongly acidic ion exchange resin of the sulfonic type.” Support for the amended claim language may be found on page 13 lines 17-19 of the specification as filed.

Claims 22, and 34-35 have been amended to correct a typographical error.

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Rejections Under 35 U.S.C. § 102

Claims 1-37 stand rejected under 35 U.S.C. § 102, as anticipated by US 6,031,019 ("the '019 patent"). However, it is submitted that the '019 patent does not disclose the method of production of the polyorganosilylated carboxylate monomers, or the monomers themselves. It is therefore submitted that the '019 patent does not disclose the subject matter of any of Claims 1-39. Furthermore, the '019 patent does not suggest or teach the claimed method of forming monomers.

Nonstatutory Double Patenting Rejection

Claims 1-37 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting over Claims 1-15 of copending U.S. Application No. 11/726,130. A terminal disclaimer is filed herewith to overcome the provisional rejection. Accordingly, it is respectfully submitted that the provisional nonstatutory obviousness-type double patenting rejection has been obviated for all Claims 1-39.

CONCLUSION

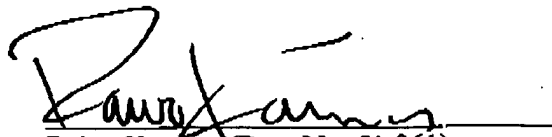
Applicants respectfully submit that the application is now in proper form for examination and favorable consideration. The Examiner is invited to contact the undersigned attorney to discuss any outstanding issues.

The Commissioner is authorized to charge all required fees, including any excess claim fees, extension of time fees, terminal disclaimer fees and any additional fees, or credit any overpayment to Deposit Account 06-0923.

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Respcctfully submitted,

Date: August 21, 2008

A handwritten signature in black ink, appearing to read 'Raivo Karmas', is written over a horizontal line.

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